

REMARKS

Claims 1-3, 5-12, 20-22, 27-31, 35 and 36 currently appear in this application. The Office Action of July 9, 2008, has been carefully studied. These claims define novel and unobvious subject matter under Sections 102 and 103 of 35 U.S.C., and therefore should be allowed. Applicant respectfully requests favorable reconsideration, entry of the present amendment, and formal allowance of the claims.

Rejections under 35 U.S.C. 112

Claim 11 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claims are said to contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the climaxed invention.

This rejection is respectfully traversed. Contrary to the Examiner's assertion, the cited compounds are specifically described in the specification as follows:

Methyl-3- $\{1-[(5-\{[(40-$
chlorobenzoyl)amino]methyl}thien-2-yl)sulfonyl]piperidin-4-
yl}amino)-benzoate is described in Example 113 on page 57 of
the international application.

Methyl-3-<{1-[(5-<{[(40-nitrobenzoyl)amino]methyl}thien-2-yl)sulfonyl]piperidin-4-yl}amino)-benzoate is described in Example 192 on page 64 of the international application.

Methyl-3-<{1-[(5-<{[(40-methoxybenzoyl)amino]methyl}thien-2-yl)sulfonyl]piperidin-4-yl}amino)-benzoate is described in Example 280 on page 71 of the international application..

The processes for making these compounds are fully described in the specification at page 41, line 4 to page 43, line 2, in such a way that one skilled in the art could indeed practice the invention.

Claims 2, 3, 11, 12, 21, 22 and 29-31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

This rejection is respectfully traversed. Claim 1 has been amended to recite the specific groups that can be substituents. Support for this amendment can be found in the specification as filed at page 7, lines 10-22. It is respectfully submitted that this amendment provides sufficient antecedent basis for the limitations of claims 11 and 12.

Claim 21 has been amended to delete "substituted or unsubstituted cyclic C₄-C₆ alkyl optionally containing 1-3

heteroatoms and optionally fused with aryl or heteroaryl." It is respectfully submitted that this overcomes the rejection of dependent claim 22.

The superscript in claim 2 is a self-evident typographical error, and has now been deleted.

Art Rejections

Claims 1-3, 5-7, 9, 20 and 27-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Steffan et al., US 6,506,901.

This rejection is respectfully traversed. Steffan was filed July 12, 2001, claiming the benefit of U.S. Provisional Application filed July 17, 2000. The present application, filed September 29, 2000, is based on European application EP 99810869.0, filed September 28, 1999. Therefore, since priority has been perfected, Steffan is not available as a reference.

Claims 1-3 and 20 are rejected under 35 U.S.C. 102(a) as being anticipated by Mederski, WO 00/32577.

This rejection is respectfully traversed. Claim 1 has been amended to recite substituents on Ar¹ and Ar² that are not disclosed in Mederski. Support for this amendment can be found in the specification as filed at page 11, lines 13-18.

Claims 1-3 and 20 are rejected under 35 U.S.C.
102(b) as being anticipated by Nedospasov et al., SU
1,706,174.

This rejection is respectfully traversed. Claim 1
has been amended to recite substituents on Ar¹ and Ar² that are
not disclosed in Steffan. Support for this amendment can be
found in the specification as filed at page 11, lines 13-18.

Claims 1, 3 and 20 are rejected under 35 U.S.C.
102(b) as anticipated by Palaima et al., CAPLUS printout
Registry No. 145045-52-9.

This rejection is respectfully traversed. Claim 1
has been amended so that Ar¹ is no longer phenyl.

In view of the above, it is respectfully submitted
that the claims are now in condition for allowance, and
favorable action thereon is earnestly solicited.

Respectfully submitted,

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